

To: House committee on Natural Resources, Outdoors and Recreation  
From: Chuck Groya, 745 Bay Road, Bay City MI 48706

SB 1052 testimony

Hi, my name is Chuck Groya and I support SB 1052. My wife Maureen and I have lived on Aplin beach in Bay County for 16 years. I do not have a PHD, but I have common sense and that is what we need to resolve this beach grooming issue, a common sense approach.

We moved to the beach to be close to fishing, the boat launch, and have a beach for our grandkids to swim and play when we retired.

Our neighbors are made up of many occupations. With a mixture of Democrats as well as Republican on the beaches. The beach maintenance issue is not and should not be a partisan issue.

When we moved to the beach we were told we owned to the water's edge. The State Supreme Court also says we own to the waters edge. In the past several years, we have had many problems with zebra mussels, dead fish, dead birds and debris on the shore; this is in high and low water days. Every time I asked for help with these problems, I was told by the township and the DEQ, that it was my property and it was my problem to clean it up. I accepted their reply and resigned myself, that I, the property owner, was responsible for keeping my beach clean and safe.

What is the definition of a wetland? As we all know the definitions are very vague, but what we do know is, when environmental organizations send out pictures or brochures with pictures of wetlands, they rarely look anything like the beaches in front of our homes that we are asking to groom. The only time they show human interaction is in a negative light.

The main concerns that are raised are about SB 1052; Beach walking, Phragmites, Permit Process, Habitat, Erosion, and Run-off.

**Beach Walking:** Of course you will hear the scare tactic that the shoreline property owners will stop beach walking. That is a ridiculous statement, because we along the shore, beach walk all the time. We not only walk on our beach, but must walk on others' property to get the full benefit. Shoreline property owners love to see beach walkers enjoying our Great Lakes. We love to share our good fortune of living on the beach. Beach walking is protected by the public trust and shoreline residents welcome beach walking.

**Phragmites:** We know the best way to get rid of these invasive plants is to groom our beaches. Groomed beaches do not and will not have Phragmites. You can say that mowing and grooming **may** help spread the plant, but letting them grow will produce an

abundance of seeds that will without a doubt increase the spread of this plant, as we are now seeing.

**Permit Process:** There is talk about the number of folks that requested grooming permits, almost 600. Well, we know there are a lot more shoreline owners grooming than that. Most do not want any attention paid to them on this situation and will not request a permit. The permit process sounds easy, but that is not the case, I know I have filled it out. Even though the permit now consists of 1 page, 2 sided; there are attachments that need to be included. You are required to include a drawing of the property, pictures (which you may not have) that prove your property has been a beach, and letters from neighbors with approval, if you trying to include them. Many are afraid they will be sued like I was by the Corps, with an initial fine of \$7.2 million for beach grooming.

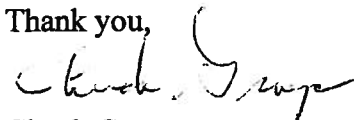
**Habitat:** The shoreline that is heavily populated is that way for a reason; they have been and always been - beaches. In talking with the neighbors on Aplin beach they say we have had vegetation during low water before, but when the water returns the wind and wave action will remove it. One of the neighbors decided to let his vegetation grow to see what kind of habitat he could attract. What grew was all phragmites and the waterfowl never went into the stuff. The ducks and geese went to the mowed or groomed beaches. He said he even had a duck make a nest and lay her eggs under a pine tree in his yard. The waterfowl adjust to the changing conditions.

**Erosion:** Wind and waves will remove vegetation as the water comes up in high impact areas that SB1052 allows groomed. In sandy areas, the sand is blown up on and off the shoreline with little or no change in the beach area. What is the difference if the sand is moved by the wind or the homeowner?

**Run off and pollution:** I do not want pollution trapped in vegetation in front of my home where I live and my grandchildren play. Shoreline owners are constantly cleaning assorted types of pollution from our shoreline. **We all need to focus on keeping the pollution from reaching the water in the first place.** Weeds on our beaches will not stop the excessive nutrients that are reaching the water, they will only add to the problem. **The pollutants are running in from rivers, storm drains and ditches that empty into our Lakes.**

SB 1052 is a good balance between protecting established wetlands and historical beaches.

Thank you,



Chuck Groya